

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Girouard et al. Serial No.: 10/682,421 Confirmation Number: 9616 Filed: 10/9/2003 Title: MITIGATING SELF- PROPAGATING E-MAIL VIRUSES Docket: AUS920030749US1	: Before the Examiner: : Thomas J Dailey : Group Art Unit: 2152 : Amy J. Pattillo : P.O. Box 161327 : Austin, Tx 78716 : 512-402-9820 <i>vox</i> : 512-306-0417 <i>fax</i>
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**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF AND
COMPLIANT APPEAL BRIEF UNDER 37 CFR §41.37(d)**

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Applicants filed an Appeal Brief in support of the above-referenced application on September 17, 2007. Applicants filed the Appeal Brief from a final rejection dated April 18, 2007 of Claims 1, 3, 6-9, 1, 14-17, 19, and 22-24 of application serial number 10/682,421, filed on 10/9/2003.

Response to Notification of Non-Compliant Appeal Brief

Applicants received a Notification of Non-Compliant Appeal Brief in the above-referenced application dated October 10, 2007 with a shortened period for reply of one month or thirty days from the mailing date of the Notification, whichever is longer. The Notification states that the Appeal Brief is Non-Compliant because the brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal under 37 CFR 41.37(c)(1)(vi and explains that "the summary of claimed subject matter does not map the independent claims (1,9,17) on appeal to the specification by page, and line numbers and to the drawings if any." The Notification further states that the entire brief is not required, but only the section
Appeal Brief

that was found defective.

Applicants submit section V “Summary of Claimed Subject Matter” of the Appeal Brief, corrected to map independent claims 1, 9, and 17 on appeal to the specification by page and line numbers and to the drawings if any, with reference characters. Applicants note that previously, independent claims 1, 9, and 17 were mapped to the specification by paragraph number and Figure. Applicants submit a corrected section V with a summary of the claimed subject matter of claims 1, 9, and 17 mapped to the published specification for the application by page and line numbers and to the drawings with reference characters. Applicants respectfully request entry of the compliant section and docketing of the application for appeal.

Submission to Correct Error in Summary of Claimed Subject Matter

V. Summary of Claimed Subject Matter

Claim 1 is directed to a method for receiving a request to send an electronic mail message with a file attachment to multiple intended recipients. (Specification, page 3, paragraph 0041, lines 1-9; page 4, paragraph 0042, lines 1-5; page 4, paragraph 0043, lines 1-4; page 4, paragraph 0044, lines 1-7; page 4, paragraph 0050, lines 1-5; Figure 9, element 902). At least one number is calculated of the intended recipients assigned to at least one group identifier in an address book storing each of the intended recipients in association with at least one of multiple separate group identifiers. (Specification, page 4, paragraph 0043, lines 9-10; page 4, paragraph 0045, lines 5-7; page 4, paragraph 0048, lines 4-13; pages 4-5, paragraph 0053, lines 6-13; page 5, paragraph 0054, lines 1-10; page 5, paragraph 0059, lines 9-21; Figure 3, elements 302, 312; Figure 4, elements 402, 404, 406, 408; Figure 9, element 904). A maximum recipient limit is retrieved specified for a particular extension type of file attachment from among multiple extension types of file attachments and specified for at least one group identifier from among the separate group identifiers, wherein an extension type of the file attachment matches the particular extension type of the file

attachment. (Specification, page 4, paragraph 0046, lines 9-11; page 4, paragraph 0049, lines 4-8; page 4, paragraph 0050, lines 1-6; page 4, paragraph 0051, lines 1-3; Figure 3, element 308; Figure 5, elements 504, 508; Figure 6, element 604). The at least one number of recipients assigned to the at least one group identifier in the address book is compared with the maximum recipient limit. (Specification, page 4, paragraph 0046, lines 9-11; page 4, paragraph 0049, lines 4-8; page 4, paragraph 0050, lines 1-6; page 4, paragraph 0051, lines 1-3; page 5, paragraph 0054, lines 10-14; page 5, paragraph 0060, line 7-9; page 5, paragraph 0061, lines 3-5; Figure 3, element 302; Figure 5, element 508; Figure 9, elements 907, 908). Responsive to the at least one number of recipients assigned to the at least one group identifier in the address book exceeding the maximum recipient limit for the at least one group identifier, a sender authorization is requested prior to sending the electronic mail message, such that if a virus is attempting to self-propagate by sending the electronic mail message the attempt is mitigated. (Specification, page 5, paragraph 0054, lines 14-21; 0055; page 5, paragraph 0057, lines 1-10; pages 5-6, paragraph 0061, lines 5-10; page 6, paragraph 0062, lines 1-5; Figure 3, element 302; Figure 8, elements 800, 804; Figure 9, elements 910, 914).

Claim 3 is directed to the method of claim 1, wherein receiving a request to send an electronic mail message with a file attachment is further directed to detecting a file embedded within the electronic mail message as a file attachment. (Specification, page 4, paragraph 0046, lines 6-7; Figure 6, element 604; Figure 9, element 906).

Claim 6 is directed to the method of claim 1, wherein requesting a sender authorization prior to sending the electronic mail message is further directed to requesting at least one of an entry of a password as authorization and a manual sender input. (Specification, page 5, paragraph 0057, lines 1-10; page 4, paragraph 0058, lines 1-16; Figure 8, element 804, Figure 9, element 914).

Claim 7 is directed to the method of claim 1 and is further directed to receiving the maximum recipient limit from at least one of a network administrator

and a user (Specification, page 4, paragraph 0052, lines 105; Figure 3, element 308).

Claim 8 is directed to the method of claim 1 and is further directed to alerting a network administrator that the electronic message was blocked, responsive to receiving a denial of sender authorization. (Specification, page 4, paragraph 0046, lines 15-18; page 6, paragraph 0062, lines 11-13; Figure 9, element 920).

Claims 9, 11, 14, 15, and 16 are directed to a computer system communicatively connected to a network having means for mitigating self-propagating electronic mail viruses as described by the steps in claims 1, 3, 6, 7, and 8 respectively. (Specification, page 2, paragraph 0029, lines 8-15; page 4, paragraph 0042, lines 1-5; page 4, paragraph 0043, lines 9-10; page 4, paragraph 0045, lines 1-7; page 4, paragraph 0046, lines 1-18; Figure 1, element 100; Figure 3, elements 300, 302, 308, and 312).

Claims 17, 19, 22, 23, and 24 are directed to a computer program product, on a nonvolatile or volatile recording medium, having program means recorded thereon for mitigating self-propagating electronic mail viruses as described by the steps in claims 1, 3, 6, 7, and 8, respectively. (Specification, page 2, paragraph 0030, lines 1-25; Figure 3, element 300).

Respectfully submitted,

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